

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FRED D. EVANS,

Plaintiff,

-against-

NORTH SHORE UNIVERSITY HOSPITAL,

Defendant.
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HURLEY, District Judge:

On October 6, 2008, Plaintiff moved to reopen this case. On October 31, 2008, Magistrate Judge James Orenstein issued a Report and Recommendation recommending that Plaintiff's motion be denied. No objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, this Court adopts the October 31, 2008 Report and Recommendation of Judge Orenstein as if set forth herein. Plaintiff's motion to reopen is therefore denied.

SO ORDERED.

Dated: Central Islip, N.Y.
August 20, 2009

/s/

Denis R. Hurley,
United States District Judge